



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Joseph F. Bringley

COLLOIDAL CORE-SHELL
ASSEMBLIES AND METHODS OF
PREPARATION

Serial No. 10/622,354

Filed 18 July 2003

Group Art Unit: 1712

Examiner: Daniel Metzmaier

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Commissioner For Patents, P.O. Box 1450, Alexandria,
VA 22313-1450.

Robin G. DePoint
Robin G. DePoint

November 4, 2005
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

RESPONSE

The Examiner has required restriction between Group I claims 1-27 drawn to methods of making core-shell particle dispersions and Group II claims 28-35 drawn to a colloidal dispersion.

The Examiner states that the inventions of Group I and Group II are distinct if either or both of the following can be shown: (1) that the processes claimed can be used to make other materially different product or (2) that the product as claimed may be made by another materially different process. The Examiner states that in the instant case the compositions require polymeric latex or resin not required in methods of making. Furthermore, the Examiner states that the methods may be employed to make particulate core-shell materials and not require the dispersed state. This rejection is respectfully traversed.

It is respectfully urged that the rejection requirement is in error. The Examiner states that the compositions require polymeric latex or resin whereas the methods of making do not require latex or resin. The broad claims for both method and composition do not require latex or resin. Therefore, this difference between the groups is not well taken. The statement that the methods employed to make core-shell materials do not require the dispersed state has not been shown by the Examiner to be true. The Examiner has not pointed to anything in the art for making core-shell particles where a dispersion is not used.

Therefore, this reason for restriction also is not well taken. Therefore, it is respectfully requested that the rejection be reconsidered and withdrawn.

In paragraph 5 the Examiner requires an election of species between the distinct species comprising (1) core materials, (2) shell materials, and (3) the dispersing media. The applicant is required to elect single-disclosed species even though this requirement is traversed. The applicant is directed to elect a single-disclosed species for each of 1-3. The species requirement is respectfully traversed.

The Examiner has provided no evidence or even argument that prosecution would be advanced by the election of species. It is respectfully urged that any search of the three different species would be overlapping and therefore compact prosecution would result in all claims being best examined in one application.

In order to be complete, the applicant hereby elects Group II drawn to the colloidal dispersion comprising claims 28-35. Further, the applicant elects the species as follows (1) for the core material the applicant elects colloidal silica. For the shell the applicant elects zirconia, and for the dispersing media the applicant elects water. These elections are with traversal as set forth above.

Therefore, it is respectfully requested that the election requirement and the species election requirement be reconsidered and withdrawn and that an early action on the merits of this application be issued.

Respectfully submitted,



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Enclosures

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.